

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-24 (Canceled).

25. (currently amended) A drug loaded stent, comprising:  
a radially expandable stent body,  
a coating layer disposed on the stent body, and  
polymeric particles containing a therapeutic substance embedded within the coating layer, wherein the coating layer comprises a polymer different than the polymer from which the particles are made, wherein the coating layer is free from any therapeutic substances.

26. (Cancelled)

27. (Cancelled)

28. (Previously presented) The stent of Claim 25, wherein the polymeric particles are made from a hydrogel material.

29. (Previously presented) The stent of Claim 25, wherein the particles are 0.5 to 2 microns in size.

30. (Previously presented) The stent of Claim 25, wherein the therapeutic substance is for the treatment of restenosis.

31. (Previously presented) The stent of Claim 25, wherein the therapeutic substance is a radioactive isotope.

32. (currently amended) A medical device, comprising an implantable substrate and a coating layer, wherein the coating layer is free from any therapeutic substances but includes particles of a polymeric material having a therapeutic substance added thereto, wherein the therapeutic substance is completely encased within the polymer particles.

33. (Cancelled)

34. (Previously presented) The stent of claim 25, wherein the therapeutic substance is completely encased within the polymeric particles.

35. (currently amended) The medical device of claim 32, wherein the coating layer comprises a polymer different than the polymer from which the particles are made.

36. (Previously presented) An implantable medical device made by the method comprising:

adding polymeric particles containing a therapeutic substance to a fluid form of an implantable medical device coating material, wherein the coating material includes a polymeric material dissolved in a solvent, and wherein the polymeric particles containing the therapeutic substance are suspended in the polymeric material dissolved in the solvent;

applying the fluid form of the coating material comprising the polymeric particles added thereto to an implantable medical device; and

solidifying the coating material to a film layer by allowing the solvent to evaporate, wherein the film layer includes the polymeric particles containing the therapeutic substance.

37. (Previously presented) The implantable medical device of claim 36, wherein the film layer includes the polymeric material encasing the polymeric particles.